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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**Date Submitted: December 28, 2010

(use as many sheets as necessary)

Sheet 1 of 13**Complete if Known**

Application Number	10/525,913
Filing Date	09/08/2005
First Named Inventor	HOLTUS
Art Unit	1781
Examiner Name	Kelly Jo Bekker
Attorney Docket Number	069818-1250

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	B1	3,956,228	05/11/1976	NOGAMI	
	B2	4,237,118 A1	12/02/1980	HOWARD	
	B3	4,412,946	11/01/1983	ZALISZ et al	
	B4	5,292,723	03/08/1994	AUDRY et al	
	B5	5,374,657	12/20/1994	KYLE	
	B6	5,444,054	08/22/1995	GARLEB et al	
	B7	5,472,952	12/05/1995	SMIDT et al	
	B8	5,502,041 A1	03/26/1996	MOEN et al	
	B9	5,531,988 A	07/02/1996	PAUL	
	B10	5,629,023 A1	05/13/1997	BLAND	
	B11	5,629,040 A	05/13/1997	TAKEMORI et al	
	B12	5,733,579 A	03/31/1998	WOLF et al	
	B13	5,744,134 A	04/28/1998	PAUL	
	B14	5,773,094	06/30/1998	KRUCKEL	
	B15	5,776,887 A	07/07/1998	WIBERT et al	
	B16	5,792,754 A	08/11/1998	GREEN et al	
	B17	5,840,361 A	11/24/1998	THEUER et al	
	B18	5,846,569	12/08/1998	ANDERSON et al.	
	B19	5,882,648 A1	03/16/1999	YORHIHARA et al	
	B20	6,051,260 A1	04/18/2000	LISKA et al	
	B21	6,197,758 B1	03/06/2001	OHTSUKI et al	
	B22	6,231,889 B1	05/15/2001	RICHARDSON et al	
	B23	6,337,137 B1	01/08/2002	KOLDIJK et al	
	B24	6,451,584 B2	09/17/2002	TOMITA et al.	
	B25	6,468,987 B1	10/22/2002	DEMICHELE et al	
	B26	6,576,251 B1	06/10/2003	STAHL et al	
	B27	6,632,445	10/14/2003	RICHARDSON et al	
	B28	6,737,089	05/18/2004	WADSWORTH et al	
	B29	6,794,495 B1	09/21/2004	Sorensen et al.	
	B30	6,846,501	01/25/2005	PROSISE et al	
	B31	6,974,841 B1	12/13/2005	RAPISARDA et al.	
	B32	7,351,715	04/01/2008	RICHARDSON et al	
	B33	7,576,070	08/18/2009	KUNZ et al	
	B34	7,601,364	10/13/2009	SWATZKI	
	B35	2002-0016289 A1	02/07/2002	CONNELLY et al.	
	B36	2002-0044988 A1	04/18/2002	FUCHS et al	
	B37	2003-0022863 A1	01/30/2003	STAHL et al	
	B38	2003-0165604	09/04/2003	TSUBAKI et al	

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Sheet	2	of	13	Attorney Docket Number	069818-1250

U.S. PATENT DOCUMENTS					
		Document Number			
	B39	2004-0122105 A1	06/24/2004	BETTLE et al.	
	B40	2004-0219188 A1	11/04/2004	COMER et al	
	B41	2007/0036839 A1	02/15/2007	Tuduri et al.	
	B42	2007-0166446 A1	07/19/2007	BOURSIER	
	B43	2008-0015166 A1	01/17/2008	VAN TOL	
	B44	2008-0138435 A1	06/12/2008	VAN DEN BERG	
	B45	2008-0171720 A1	07/17/2008	GARSSEN et al	
	B46	2008-0207559 A1	08/28/2008	SAWATZKI et al	
	B47	2009-0082249 A1	03/26/2009	GARSSEN et al	
	B48	2010-0016214 A1	01/21/2010	SAWATZKI et al	
	B49	2010-0069320 A1	03/18/2010	SPEELMANS et al	
	B50	2010-0167982 A1	07/01/2010	VAN TOL et al	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Documents	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
	B51	AU 1997/28718 B2	07/17/1997	Raffinerie Tirlemontoise		
	B52	DE 28 44 861 A1	04/30/1980	Pharma Hameln Kerstein Gmbh		
	B53	DE 37 34962 C1	01/05/1989	Luitpold Wrk Chem Pharm		
	B54	DE 199 40 011 A1	03/01/2001	Elorisan GmbH i.K.		
	B55	DE 100 27 050 A1	12/13/2001	Balan, Karim		
	B56	DE 101 36 260 A1	02/13/2003	Suedzucker AG		
	B57	EP 0 307 523 B1	03/24/1993	Kabushiki Kaisha Yakult Honsha		
	B58	EP 0 355 905 A1	02/28/1990	Akzo NV		
	B59	EP 0 378 824 B1	07/25/1990	Chimicasa GMBH		
	B60	EP 0 382 355 B1	08/16/1990	Kabushiki Kaisha Hayashibara Seibutsu Kagaku Kenkyujo		
	B61	EP 0 504 055 A 1	09/16/1992	Roussel-Uclaf		
	B62	EP 0 511 761 A1	11/04/1992	Cerestar Holding BV		
	B63	EP 0 593 774 B1	04/27/1994	Otsuka Pharma Co Ltd		
	B64	EP 0 596 717 A1	05/11/1994	Chandra Consultants		
	B65	EP 0 615 752 A1	09/21/1994	Scotia Holdings PLC		
	B66	EP 0 641 562 A1	03/08/1995	Sandoz Nutrition LTD.		
	B67	EP 0 692 252 A1	01/17/1996	Raffinerie Tirlemontoise		
	B68	EP 0 705 539 A2	04/10/1996	Friesland Brands BV		
	B69	EP 0 711 503 A2	05/15/1996	Scotia Holdings PLC		
	B70	EP 0 745 001 B1	11/25/1998	KSK Industrielackierungen GmbH		

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Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ Number ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Documents	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	B71	EP 0 756 828 B1	11/18/1998	N.V. Nutricia		
	B72	EP 0 941 088 B1	03/05/2003	Wisconsin Alumni Research Foundation		
	B73	EP 0 958 825 A1	11/24/1999	Henryk, et al		
	B74	EP 1 105 002 B1	07/17/2002	Nutricia NV		
	B75	EP 1 155 627 A1	11/21/2001	Belovo Eggs & Egg Products		
	B76	EP 1 321 527 A1	06/25/2003	Amano Enzyme Inc.		
	B77	EP 1 454 990 B1	02/22/2006	Suntory Limited		
	B78	EP 1 597 978 A1	11/23/2005	Nutricia N.V.		
	B79	EP 1 721 611 A1	11/15/2006	NV. Nutricia		
	B80	EP 1 723 951 A1	11/22/2006	N.V. Nutricia		
	B81	FR 2 781 673 A1	02/04/2000	Universite de Picardie Jules Verne		
	B82	FR 2 866 203 A1	08/19/2005	Roquette Freres		
	B83	GB 1305071	01/31/1973	Deutsche Laevosan-Gellschaft, et al.		
	B84	JP 53-42340 A	11/10/1978	Asahi Chem. Ind. Co. Ltd.		
	B85	JP 2-286058 A	11/26/1990	Nippo Synthetic Chem Ind		
	B86	JP 08-151328 A	06/11/1996	Fuji Latex KK		
	B87	JP 9-065855 A	03/11/1997	Otsuka Shokuhin KK		
	B88	JP 10-175867 A	06/30/1998	Morinaga Milk Industry Col., Ltd., et al.		
	B89	JP 2003 146887 A	05/21/2003	Gotoo Corp. KK		
	B90	WO 92/22588 A1	12/23/1992	Italfarmaco SPA		
	B91	WO 95/26646 A1	10/12/1995	Abbot Laboratories		
	B92	WO 96/13271 A1	05/09/1996	Metagenics Inc.		
	B93	WO 97/02829 A2	01/30/1997	Abbot Laboratories		
	B94	WO 97/34615 A1	09/25/1997	Brown, et al		
	B95	WO 98/11910 A1	03/26/1998	Scient Hospital Supply Int Ltd		
	B96	WO 98/15196 A1	04/16/1998	Meiji Seika Kaisha, Ltd.		
	B97	WO 98/26787 A1	06/25/1998	Amott s Biscuits, Ltd.		
	B98	WO 98/31241 A1	07/23/1998	N.V. Nutricia		
	B99	WO 99/53777 A1	10/28/1999	Novartis Nutrition AG		
	B100	WO 2000/08948 A2	02/24/2000	N.V. Nutricia		
	B101	WO 01/41581 A1	06/14/2001	N.V. Nutricia		
	B102	WO 01/60378 A2	08/23/2001	N.V. Nutricia		
	B103	WO 01/78530 A2	10/25/2001	Abbott Laboratories		
	B104	WO 02/42484 A2	05/30/2002	Sudzucker Aktiengesellschaft Mannheim/Ochsenfurt		
	B105	WO 02/047612 A2	06/20/2002	Mannatech Inc.		
	B106	WO 02/076471 A1	10/03/2002	Societe des Produits Nestle S.A.		
	B107	WO 03/093322 A2	11/13/2003	Population Council Inc.		

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	B108	WO 2004/000042 A2	12/31/2003	N.V. Nutricia		
	B109	WO 2004/000340 A2	12/31/2003	N.V. Nutricia		
	B110	WO 2004/026294 A1	04/01/2004	Novartis Nutrition AG		
	B111	WO 2004/052121 A1	06/24/2004	Novartis Nutrition AG		
	B112	WO 2004/112508 A1	12/29/2004	Nestec S.A.		
	B113	WO 2004/112509 A2	12/29/2004	Nestec S.A.		
	B114	WO 2004/113415 A1	12/29/2004	DSM IP Assets B.V.		
	B115	WO 2005/039319 A2	05/06/2005	N.V. Nutricia		
	B116	WO 2005/039597 A2	05/06/2005	N.V. Nutricia		
	B117	WO 2005/067955 A1	07/28/2005	Stamets et al.		
	B118	WO 2005/110121 A1	11/24/2005	N.V. Nutricia		
	B119	WO 2005/122790 A1	12/29/2005	N.V. Nutricia		
	B120	WO 2006/007676 A1	01/26/2006	Amazonia Fitomedicamentos Ltda		
	B121	WO 2006/014519 A1	02-09-2006	Elmaleh, David		
	B122	WO 2006/112694 A2	10/26/2006	N.V. Nutricia		
	B123	WO 2006/112716 A2	10/26/2006	N.V. Nutricia		
	B124	WO 2006/112717 A2	10/26/2006	N.V. Nutricia		
	B125	WO 2007/016132 A2	02/08/2007	Alcon Refractivehorizons, Inc.		
	B126	WO 2007/115210 A2	10/11/2007	Nutracea Inc.		
	B127	WO 2009/096772 A1	08/06/2009	N.V. Nutricia		
	B128	WO 2009/096789 A1	08/06/2009	N.V. Nutricia		

NON PATENT LITERATURE DOCUMENTS			
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	B129	AIDS Fact Sheet: T-cell tests; also available at http://web.archive.org/web/20040217112225/http://www.aids.org/factSheets/124-T-Cell-Tests.html , published 2004; last viewed Oct. 21, 2009	
	B130	ALTER et al., "Sequential deregulation of NK cell subset distribution and function starting in acute HIV-1 infection," <i>Blood</i> , vol. 106, no. 10, Nov. 15, 2005, pp 3366-3369	
	B131	Analysis of RAFTIMIX 10; RAFTIMIX® ST and RAFTILOSE® P95, (1995)	
	B132	Anonymous, "Larch Arabinogalactan," <i>Alternative Medicine Review</i> , vol. 5, no. 5, 2000, pp. 463-466	

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	B133	BERNHART et al., "Lactulose in Modified Milk Products for Infant Nutrition," <u>J. Dairy Sci.</u> , 1956, pp. 399-400		
	B134	BOEHM et al., "Supplementation of a bovine milk formula with an oligosaccharide mixture increases counts of faecal bifidobacteria in preterm infants," <u>Fetal & Neonatal</u> , vol. 86, no. 3, May 2002, pp. F178-F181		
	B135	BOEHM, "Prebiotic concept for infant nutrition," <u>Acta Paediatrica Suppl.</u> , vol. 441, 2003, pp. 64-67		
	B136	BOEHM et al., "Prebiotics and Immune Responses," <u>Journal of Pediatric Gastroenterology and Nutrition</u> , vol. 39, Jun. 2004, pp. S772-S773		
	B137	BOERSMA et al., "Vitamin E, lipid fractions, and fatty acid composition of colostrum, transitional milk, and mature milk: an international comparative study," <u>American Journal of Clinical Nutrition</u> , Dep. Of Obstetrics & Gynaecology, State Univ. Groningen, EZ Groningen 9713, Netherlands, vol. 3, no. 5, 1991, p. 1197-1204		
	B138	BOUHNIEK et al., "Administration of Transgalacto-Oligosaccharides Increases Fecal Bifidobacteria and Modifies Colonic Fermentation Metabolism in Healthy Humans," <u>American Society for Nutritional Sciences</u> , 1997 pp. 444-448		
	B139	BREITKREUTZ et al., "Improvement of immune functions in HIV infection by sulfur supplementation: Two randomized trials," <u>Journal of Molecular Medicine</u> (Berlin), vol. 78, no. 1, 2000, pp. 55-62		
	B140	BUCKLER, "Prebiotics in infant nutrition," Internet article online Jul. 8, 2001, pp. 1-5 (XP002292254), retrieved from the Internet: <u>URL: http://www.se-neonatal.es/se-neonatal/oviedo2001/prebiotics.pdf</u> on Aug. 11, 2004		
	B141	CHO et al., <u>Complex Carbohydrates in Foods</u> , Marcel Dekker Inc., NY, 1999, pp. 229-233, 246 (ISBN: 0-8247-0187-9)		
	B142	<u>CODEX STAN 72</u> , "Standard For Infant Formula And Formulas For Special Medical Purposes Intended For Infants," 1981, pp. 1-21		
	B143	CRAIG et al., "Polydextrose as Soluble Fiber: Physiological and Analytical Aspects," <u>American Assn of Cereal Chemists, Inc.</u> , vol. 43, no. 5, May 1998, pp. 370-376 (publication no. W-1998-0427-03F)		
	B144	CRITTENDEN et al, "Production, properties and applications of food-grade oligosaccharides," <u>Trends in Food Science & Technologies</u> , vol. 7, Nov. 1996. pp. 353-361		
	B145	CUMMINGS, "Gastrointestinal Effects of Food Carbohydrate.supp.1-3," <u>Am J Clin Nutr</u> , Apr. 1995; Suppl. 4 61 (suppl): pp. 938S-945S		
	B146	Database CA 'Online! Chemical Abstracts Service, Columbus, Oh, NOGAMI, "Resin Compositions for low-temperature curable powder paints," retrieved from STN Database accession no. 87:137415 abstract & JP 53 042340 B. Nov. 10. 1978		

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				First Named Inventor	HOLTUS
				Art Unit	1781
				Examiner Name	Kelly Jo Bekker
Sheet	6	of	13	Attorney Docket Number	069818-1250

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	B147	Database Medline [Online], US NLM, Dec. 1994, MALORNI et al.: "Thiol supplier N-acetylcysteine enhances conjugate formation between natural killer cells and K562 or U937 targets but increases the lytic function only against the latter," Database accession no. NLM7721335, & Immunology Letters, vol. 43, no. 3, Dec. 1994, 1 page [XP002474080]		
	B148	Database WPI, Section Ch. Week 198929, Derwent Publications Ltd., London, GB, Class B03, AN 1989-211474		
	B149	Database WPI, Section Ch. Week 199615, Derwent Publications Ltd., London, GB, Class B04, AN 1996-145913		
	B150	Database WPI Week 199633, Derwent Publications, Ltd., London, GB: AN 1996-329426 [XP-002426042]		
	B151	Database WPI, Section Ch, Week 200261, Derwent Publications Ltd., London, GB, Class A26, AN 2002-567199 & CN 1 343 727 A, Apr. 10, 2002 [XP-002344565]		
	B152	Database WPI, Week 200634, Derwent Publications Ltd., London, GB, AN 2006-323978 & JP 2006 115826 A, May 2006 [XP-002474081]		
	B153	DETRY, Dissertation, 1992, Institute Paul Lambin "Implications technologiques et nutritionnelles..."		
	B154	DOMBO et al., "Production Health Benefits and Applications of Galacto-oligosaccharides," Yalpani M. ed., <u>New Technologies for Healthy Foods and Nutraceuticals</u> , ATL Press, Shewsbury, MA, 1997, pp. 143-156		
	B155	DONGOWSKI et al., "The Degree of Methylation Influences the Degradation of Pectin in the Intestinal Tract of Rats In Vitro," <u>The Journal of Nutrition</u> , vol. 132, 2002, pp. 1935-44		
	B156	DROEGE, "Cysteine and glutathione deficiency in AIDS patients: A rationale for the treatment with N-Acetyl-Cysteine," <u>Pharmacology</u> (Basel), vol. 46, no. 2, 1993, pp. 61-65		
	B157	DROEGE et al, "Is AIDS the consequence of a virus-induced cysteine and glutathione deficiency? Chances and limitations of the treatment with N-acetyl-cysteine (NAC)," <u>AIDS Research and Human Retroviruses</u> , vol. 10, no. Suppl. 3, 1994, p. S65 (XP008052583)		
	B158	DROEGE et al., "Role of cysteine and glutathione in HIV infection and other diseases associated with muscle wasting and immunological dysfunction," <u>FASEB Journal</u> , vol. 11, no. 13, Nov. 1997, pp. 1077-1089		
	B159	DROEGE et al., "Glutathione and immune function," <u>Proceedings of the Nutrition Society</u> , vol. 59, no. 4, Nov. 2000, pp. 595-600		
	B160	ELFSTRAND et al., "Immunoglobulins, growth factors and growth hormone in bovine colostrum and the effects of processing," <u>International Dairy Journal</u> , vol. 12, 2002, pp. 879-887		
	B161	Elix'or® "Galacto-oligosaccharides for Innovative Foods," Borculo Whey Products product information material		

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	B162	Elix'or® "Galacto-oligosaccharides: A natural ingredient for functional foods," <u>Borculo Whey Products product information brochure</u> , Jul. 1996	
	B163	FACCHINI et al., "Increased number of circulating Leu 11+ (CD 16) large granular lymphocytes and decreased NK activity during human ageing," <u>Clinical Experimental Immunology</u> , vol. 68, no. 2, 1987, pp. 340-347	
	B164	FANARO et al., "Galacto-oligosaccharides and long-chain fructo-oligosaccharides as prebiotics in infant formulas: A review," <u>Acta Paediatrica Suppl.</u> , vol. 94, sup. 449, 2005, pp. 22-26	
	B165	FERRANDEZ et al.: "Effects in vitro of several antioxidants on the natural killer function of aging mice - differing roles for IFN-gamma and IL-2," <u>Experimental Gerontology</u> , vol. 34, no. 5, Aug. 1999, pp. 675-685 [XP002474079]	
	B166	FIBRULINE® Instant, Certificate of Analysis, Cosucra B.V., Netherlands, Oct. 12, 1994, 1 page	
	B167	FIDLER et al., "Polyunsaturated fatty acid composition of human colostrum lipids in Slovenia: regional differences," <u>Food Technology and Biotechnology</u> , vol. 38, no. 2, 2000, pp. 149-153, Biotech. Fac., Inst. Of Nutr., Univ. of Ljubljana, SI-1230 Domzale, Slovenia	
	B168	FIDLER et al., "The fatty acid composition of human colostrum," <u>European Journal of Nutrition</u> , vol. 39, no. 1, Feb. 2000, pp. 31-37	
	B169	FRISOMUM, Analysis Chart and Brochure, 1998	
	B170	GHONEUM et al., "Production of Tumor Necrosis Factor-Alpha and Interferon-Y from Human Peripheral Blood Lymphocytes by MGN-3, a Modified Arabinoxylan from Rice Bran, and Its Synergy with Interleukin-2 In Vitro," <u>Cancer Detection and Prevention</u> , vol. 24, no. 4, 2000, pp. 314-324	
	B171	GHONEUM et al., "Enhancement of Natural Killer Cell Activity of Aged Mice by Modified Arabinoxylan Rice Bran (MGN-3/Biobran)," <u>J. Pharm. and Pharmacology</u> , vol. 56, no. 12, Dec. 2004, pp. 1581-1588	
	B172	GIBSON, "Bifidogenic properties of different types of fructo-oligosaccharides," <u>Food Microbiology</u> , vol. 11, 1994, pp. 491-498	
	B173	GIBSON et al., "Selective stimulation of bifidobacteria in the Human Colon by Oligofructose and Inulin," <u>Gastroenterology</u> , vol. 108, 1995, pp. 975-982	
	B174	GIBSON et al., "Dietary Modulation of the Human Colonic Microbiota: Introducing the Concept of Prebiotics," <u>Journal of Nutrition</u> , vol. 125, 1995, pp. 1401-1412	
	B175	GLADE, "Nutrition, Nutritional Pharmaceuticals," <u>Conference Summary: First Symposium of the International College of Advanced Longevity Medicine</u> , Reno, Nevada, October 11-13, 1998," vol. 16, issue 9, 2000, pp. 789-790	

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	B176	GONZALEZ et al., "Polysaccharides as Antiviral Agents: Antiviral Activity of Carrageenan," <u>Antimicrobial Agents and Chemotherapy</u> , vol. 31, no. 9, Sep. 1987, pp. 1388-1393		
	B177	HAASTRECHT, "Oligosaccharides: Promising Performers in New Product Development," <u>IFI</u> , no. 1, 1995, pp. 23-27		
	B178	HARMSSEN et al., "Analysis of Intestinal Flora Development in Breast-Fed and Formula-Fed Infants by Using Molecular Identification and Detection Methods," <u>J. Pediatr. Gastroenterol. Nutr.</u> , vol. 30, 2000, pp. 61-67		
	B179	HARTEMINK "Non-digestible oligosaccharides: healthy food for the colon?," Proceedings of the International Symposium, <u>Wageningen Pers</u> , NL, Dec. 4-5, 1997, pp. 130-131 (ISBN 90-74134-52-1)		
	B180	HAUER et al., "Mechanism of Stimulation of Human Natural Killer Cytotoxicity by Arabinogalactan from Laris Occidentalis," <u>Cancer Immuno. Immunotherapy</u> , vol. 36, no. 4, 1993, pp. 237-244		
	B181	HERTZLER et al., "Colonic Adaptation to Daily Lactose Feeding in Lactose-Maldigesters Reduces Lactose-Intolerance," <u>Am. J. Clin. Nutr.</u> , 1996, pp. 232-236		
	B182	HIRAYAMA, "Novel physiological functions of oligosaccharides," <u>Pure Appl. Chem.</u> , vol. 74, no. 7, 2002, pp. 1271-1279		
	B183	HOPKINS et al., "Nondigestible Oligosaccharides Enhance Bacterial Colonization Resistance against Clostridium difficile In Vitro," <u>Applied and Environmental Microbiology</u> , vol. 69, no. 4, Apr. 2003, pp. 1920-1927		
	B184	Innovate with RAFTILINE® (ORAFIT leaflet), Nov. 1996		
	B185	Innovate with RAFTILOSE® (ORAFIT leaflet), Nov. 1996		
	B186	Innovate with RAFTILOSE RAFTIMIX® (ORAFIT leaflet), Nov. 1996		
	B187	International Search Report dated Nov. 25, 2003, PCT/EP03/09384, 2 pages		
	B188	ISOLAURI et al., "Probiotics in the management of atopic eczema," <u>Clinical and Experimental Allergy</u> , vol. 30, 2000, pp. 1604-1610,		
	B189	ITO et al., "Effects of Administration of Galactooligosaccharides on the Human Faecal Microflora, Stool Weight and Abdominal Sensation," <u>Microbial Ecology in Health and Disease</u> , vol. 3, no. 6, Nov.-Dec. 1990, pp. 285-292		
	B190	ITO et al., "Influence of Lactose on Faecal Microflora in Lactose Maldigestors," <u>Microbial Ecology in Health and Disease</u> , vol. 6, 1993, pp. 73-76		

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	B191	ITO et al., "Effects of Transgalactosylated Disaccharides on the Human Intestinal Microflora and Their Metabolism," <u>J. Nutr. Sci. Vitaminol.</u> , vol. 39, 1993, pp. 279-288			
	B192	ITO et al., "Influence of Galactooligosaccharides on the Human Fecal Microflora," <u>J. Nutr. Sci. Vitaminol.</u> , vol. 39, 1993, pp. 635-640			
	B193	JACOBSON et al., "Absolute or total lymphocyte count as a marker for the CD4 T lymphocyte criterion for initiating antiretroviral therapy," <u>AIDS</u> (Hagerstown), vol. 17, no. 6, Apr. 11, 2003, pp. 917-919 (XP008052430)			
	B194	JENKINS et al., "Inulin, Oligofructose and Intestinal Function," <u>J. Nutrition</u> , vol. 129, 1999, pp. 1431S-1433S			
	B195	JIANG et al., "In Vitro Lactose Fermentation by Human Colonic Bacteria is Modified by Lactobacillus Acidophilus Supplementation," <u>American Society for Nutritional Sciences</u> , 1997, pp. 1489-1495			
	B196	KLOSE et al., Chapter 7 entitled "Gums" in <u>CRC Handbook of Food Additives</u> , 2 nd ed, edited by Furia, 1972, pp. 305-07			
	B197	KOHMOTO et al., "Effect of Isomalto-oligosaccharides on Human Fecal Flora," <u>Bifidobacteria microflora</u> , vol. 7, no. 2, 1988, pp. 61-69			
	B198	KULKARNI et al., "Immunostimulant activity of inulin isolated from Saussurea lappa roots," <u>Indian Journal of Pharmaceutical Sciences</u> , vol. 63, no. 4, Jul. 2001, pp. 292-294			
	B199	LAIDLAW et al., "Effects of supplementation with fish oil-derived n-3 fatty acids and γ -linolenic acid on circulating plasma lipids and fatty acid profiles in women," <u>Am J Clin Nutr</u> , vol. 77, 2003, pp. 37-42			
	B200	Listing of sales of RAFTIMIX® 10 to clients i.a. in period Sep. 13, 1996 to May 19, 1998			
	B201	Manufacture protocol with composition of RAFTIMIX® 10 1995			
	B202	MARINI et al., "Pro- and pre-biotics administration in preterm infants: colonization and influence on faecal flora," <u>Acta Paediatr. Suppl.</u> , vol. 441, 2003, pp. 80-81			
	B203	MARSHALL, "Therapeutic Applications of Whey Protein," <u>Alternative Medicine Review</u> , vol. 9, no. 2, 2004, pp. 136-156			
	B204	MARTEAU et al., "Nutritional advantages of probiotics and prebiotics," <u>British Journal of Nutrition</u> , vol. 87, Sup. 2, 2002, pp. S153-S157			
	B205	MATA et al., "Evaluation of a recombinant Listeria monocytogenes expressing an HIV protein that protects mice against viral challenge," <u>Vaccine</u> , vol. 19, 2001, pp. 1435-1445			
	B206	MayoClinic.com "prevention of HIV/AIDS," 4 pages, also available at http://www.mayoclinic.com/health/hiv-aids/DS00005/DSECTION=prevention , last viewed Aug. 21, 2009			

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	B207	MayoClinic.com, "Ulcerative colitis," 13 pages, also available at http://www.mayoclinic.com/health/ulcerative-colitis/DS00598/METHOD=print&DSECT... , last viewed Nov. 24, 2010			
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	B209	McGraw-Hill's Access Science Encyclopedia of Science & Technology Online "oligosaccharide," also available at http://www.accessscience.com/content.aspx?searchStr=oligosaccharide&id=468300 , last viewed Aug. 21, 2009			
	B210	MELEGHI et al., "New baby food milk products," <u>XXI International Dairy Congress brief communications</u> , vol. 1, book 2, Moscow, Jul. 12-16, 1982, p. 128			
	B211	Merck Manual, "Atopic and Allergic Disorders," also available at http://www.merck.com/mmpe/sec13/ch165/ch165c.html?qt=allergy&alt=sh#sec13-ch165-ch165c-319 , last viewed Mar. 16, 2010			
	B212	MINIELLO et al., "Prebiotics in infant milk formulas: New Perspectives," <u>Acta Paediatrica Suppl.</u> , 441, 2003, pp. 68-76			
	B213	MITSUOKA, "Intestinal Flora and Human Health," <u>Asa Pacific J. Clin. Nutr.</u> , vol. 15, 1996, pp. 2-8			
	B214	MIZOTA et al., "Lactulose as a Sugar with Physiological Significance," <u>Bulletin IDE</u> , no. 212, <u>Trends in Whey Utilization</u> , 1987, chapter 11, session III, pp. 69-76			
	B215	MORI et al., "Effects of Glycyrrhizin (SNMC: Stronger Neo-Minophagen C) in hemophilia patients with HIV-1 Infection," <u>Tohoku J. Exp. Med.</u> , vol. 162, no. 2, 1990, pp. 183-193			
	B216	MORO et al., "Dosage-Related Bifidogenic Effects of Galacto- and Fructooligosaccharides in Formula-Fed Term Infants," <u>Journal of Pediatric Gastroenterology and Nutrition</u> , vol. 34, no. 3, Mar. 2002, pp. 291-295, Raven Press, NY, NY			
	B217	MORO et al., "Effects of a new mixture of prebiotics on faecal flora and stools in term infants," <u>Acta Paediatrica Suppl.</u> , vol. 91, no. 441, Sep. 2003, pp. 77-79			
	B218	MORO et al., "Reproducing the bifidogenic effect of human milk in formula-fed infants: Why and how?" <u>Acta Paediatrica Suppl.</u> , 449, vol. 94, 2005, pp. 14-17			
	B219	MURPHY, "Non-polyol low-digestible carbohydrates: food applications and functional benefits," <u>British Journal of Nutrition</u> , vol. 85, suppl. 1, 2001, pp. S47-S53			
	B220	NAKANO et al., "Anti-Human Immunodeficiency Virus Activity of Oligosaccharides from Rooibos Tea (<i>Aspalathus Linearis</i>) Extracts in Vitro," <u>Leukemia</u> , vol. 11, no. suppl. 3, Macmillan Press Ltd., US, 1997, pp. 128-130			

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT Date Submitted: <u>December 28, 2010</u> <i>(use as many sheets as necessary)</i>				Application Number	10/525,913
				Filing Date	09/08/2005
				First Named Inventor	HOLTUS
				Art Unit	1781
				Examiner Name	Kelly Jo Bekker
Sheet	11	of	13	Attorney Docket Number	069818-1250

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.		T ⁶
	B221	ORAFIT, "inulin," also available at http://www.orafit.com/Our-Products/Inulin , last viewed Mar. 15, 2010		
	B222	PARCELL, "Sulfur in Human Nutrition and Applications in Medicine," <u>Alternative Medicine Review</u> , vol. 7, no. 1, Feb. 2002, pp. 22-24, Thorne Research Inc., Sandpoint, US		
	B223	Patent Abstracts of Japan, vol. 013, no. 408 (C-634), Sep. 8, 1989 (JP 01 149730 A, Jun. 12, 1989)		
	B224	Patent Abstracts of Japan, vol. 017, no. 119 (C-1034), Mar 12, 1993 (JP 04 300888 A, Oct. 23, 1992)		
	B225	RAFTILINE® HP Product Sheet Release: May 1995		
	B226	RAFTILINE® ST Product Sheet Release: May 1995		
	B227	RAFTILOSE® P95 Product Sheet Release: May 1995		
	B228	RAFTIMIX® 10 Product Sheet Release: May 1995		
	B229	REDDY et al., "Effect of dietary oligofructose and inulin on colonic preneoplastic aberrant crypt foci inhibition," <u>Carcinogenesis</u> , vol. 18, no. 7, 1997, pp. 1371-1374		
	B230	REICH et al., "Tonicity, Osmoticity, Osmolality, and Osmolarity," in Remington: <u>The Science and Practice of Pharmacy</u> , 20 th ed, edited by Gennaro, 2000, pp. 246-56		
	B231	RIGO et al., "Growth, Weight Gain Composition and Mineral Accretion in Term Infants Fed a New Experimental Formula Containing Hydrolysed Protein, Beta-Palmitate and Prebiotics," <u>Pediatrics</u> , <u>Alpe</u> , Madrid, Spain, vol. 21, no. 10, 2001, pp 387-396		
	B232	ROBERFROID, "Dietary Fiber, Inulin, and Oligofructose: a review comparing their physiological effects," <u>Critical Reviews in Food Science and Nutrition</u> , vol. 33, no. 2, 1993, pp. 103-148		
	B233	ROBERFROID et al., "Health Benefits of Non-Digestible Oligosaccharides," <u>NCBI Pub Med</u> , 1997		
	B234	ROBERFROID, et al, "The Bifidogenic Nature of Chicory Inulin and its Hydrolysis Products," <u>The Journal of Nutrition</u> , vol. 128, 1998, pp. 11-19		
	B235	ROBERFROID, "Prebiotics: preferential substrates for specific germs?," <u>Am J. Clin. Nutr.</u> , vol. 73 (suppl), 2001, pp. 406S-409S		
	B236	ROTIMI et al, "The Development of the Bacterial Flora in Normal Neonates," <u>J. Med. Microbiol.</u> , vol. 14, 1981, pp. 51-62		
	B237	RUBALTELLI et al., "Intestinal Flora in Breast- and Bottle-fed Infants," <u>J. Perinat. Med.</u> , vol. 26, 1998, pp. 186-191		

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	B238	SALMINEN et al., "Functional food science and gastrointestinal physiology and function," <u>British Journal of Nutrition</u> , vol. 80, suppl. 1, 1998, pp. S147-S171		
	B239	SANSONI, "Lymphocyte Subsets and Natural Killer Cell Activity in Healthy Old People and Centenarians," <u>Blood</u> , vol. 82, no. 9, Nov. 1, 1993, pp. 2767-2773		
	B240	SCHMELZLE et al, "Randomized Double-Blind Study of the Nutritional Efficacy and Bifidogenicity of a New Infant Formula Containing Partially Hydrolyzed Protein, a High β -Palmitic Acid Level, and Nondigestible Oligosaccharides," <u>J. Pediatr. Gastroenterol. Nutr.</u> , vol. 36, issue 3, Mar. 2003, pp. 343-351		
	B241	SIMOPOULOS et al., "Workshop on the Essentiality of and Recommended Dietary Intakes for Omega-6 and Omega-3 Fatty Acids," <u>Journal of the American College of Nutrition</u> , vol. 18, no. 5, 1999, pp. 487-489		
	B242	TANAKA et al., "Effects of Administration of TOS and Bifidobacterium breve 4006 on the Human Fecal Flora," <u>Bifidobacteria Microflora</u> , vol. 2, no. 1, 1983, pp. 17-24		
	B243	TERADA et al., "Effect of Lactosucrose on Fecal Flora and Fecal Putrefactive Products of Cats," <u>NCBI PubMed</u> , 1993		
	B244	Think RAFTILINE®, RAFTILOSE®, Inuline and Oligofructose, (Orafti brochure), Apr. 23, 2008		
	B245	USAMI et al, "Effect of eicosapentaenoic acid (EPA) on tight junction permeability in intestinal monolayer cells," <u>Clinical Nutrition</u> , vol. 20, no. 4, 2001, pp. 351-359		
	B246	VAN LAERE et al., "Mogelijkheden en toepassingen van prebiotica: Possibilities and applications of prebiotics," <u>Voedingsmiddelen Technologie</u> , Noordervliet B.V. Zeist, NL, vol. 34, no. 23, Oct. 26, 2001, pp 51-54 (XP008029566; ISSN: 0042-7934)		
	B247	VAN LOO et al., "On the Presence of Inulin and Oligofructose as Natural Ingredients in the Western Diet," <u>Critical Reviews in Food Science and Nutrition</u> , vol. 35, no. 6, 1995, pp. 525-552		
	B248	WATANABE et al., "Therapeutic Effects of Glycyrrhizin in Mice Infected with LP-BM5 Murine Retrovirus and Mechanisms Involved in the Prevention of Disease Progression," <u>Biotherapy</u> , vol. 9, no. 4, 1996, pp. 209-220, Kluwer Academic Publishers, Dordrecht, NL		
	B249	WATZL et al., "Inulin, oligofructose and immunomodulation," <u>British Journal of Nutrition</u> , vol. 93, no. 1, 2005, pp. S49-S55 [XP002474088]		
	B250	WordNet Search 3.0 "prevent"; also available at http://wordnetweb.princeton.edu/perl/webwn ; last viewed Mar.16, 2010		

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.	B251	YAZAWA et al., "Search for Sugar Sources for Selective Increase of Bifidobacteria," <u>Bifidobacteria microflora</u> , vol. 1, no. 1, 1982, pp. 39-44	

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